

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

MEMORANDUM AND ORDER

This case is before the Court on Motion to Review Appointment of Counsel [Doc. 107], filed by Federal Defender Benjamin Sharp on November 1, 2024.

In the motion, counsel states that Defendant Danielle Price has asked that a motion be filed and substitute counsel be appointed. Counsel also stated that Defendant and counsel have a difference in opinion on defense strategy.

The parties appeared before the Court for a hearing on the motion on November 13, 2024. Assistant United States Attorney Brent Jones appeared on behalf of the Government. Federal Defender Benjamin Sharp appeared on behalf of Defendant, who was also present. Attorney Michael Menefee was also present at the Court's request.

At the motion hearing, the Government confirmed that it had no position on the motion. The Court also conducted a sealed, *ex parte* portion of the hearing to learn more about the nature and extent of the problems with the attorney-client relationship. Without going into the confidential nature of that discussion, the Court is reasonably satisfied that there are sufficient grounds to substitute counsel based on a strained relationship, which is suffering from a breakdown

of communication that has compromised beyond repair counsel's ability to render effective assistance. Good cause therefore exists for substitution of counsel.

The Motion to Review Appointment of Counsel [Doc. 107] is **GRANTED** and Federal Defender Benjamin Sharp and the Federal Defender Services of Eastern Tennessee are **RELIEVED** as counsel of record for Defendant. Attorney Michael Menefee agreed to accept representation of Defendant at the hearing. The Court **SUBSTITUTES and APPOINTS** Attorney Michael Menefee under the Criminal Justice Act, 18 U.S.C. § 3006A, as counsel of record for Defendant. The Court **DIRECTS** former Federal Defender Benjamin Sharp to provide the discovery and information from Defendant's file to Attorney Michael Menefee.

Accordingly, the Court **ORDERS**:

- (1) the Motion to Review Appointment of Counsel [Doc. 107] is **GRANTED**;
- (2) Federal Defender Benjamin Sharp and the Federal Defender Services of Eastern Tennessee are **RELIEVED** of further representation of Defendant;
- (3) Attorney Michael Menefee is **SUBSTITUTED** and **APPOINTED** as counsel of record for Defendant; and
- (4) the Government is **ORDERED** to provide discovery to new counsel on or before **November 20, 2024**.

IT IS SO ORDERED.

ENTER:



Jill E. McCook
United States Magistrate Judge